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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK LEE CARDELLO-SMITH, #267009

Petitioner,

Vs

MR. MCCAULEY, WARDEN,
SEAN COMBS, a/k/a/ P. DIDDY
MICHIGAN DEPARTMENT OF CORRECTIONS,
KYM L. WORTHY, PROSECUTOR WAYNE COUNTY,
DANA NESSEL, MICHIGAN ATTORNEY GENERAL,
Defendants et al

Case: 2:25-cv-10754

Assigned To : Goldsmith, Mark A.

Referral Judge: Ivy, Curtis, Jr

Assign. Date : 3/18/2025

Description: HC DERRICK CARDELLO-SMITH V
MCCAULEY ET AL (SS)

PETITION FOR WRIT OF HABEAS CORPUS
BY A PERSON IN STATE CUSTODY

intiff is hereby filing the above cause and hereby presents this Court with the enclosed Petition for Writ of Habeas Corpus by a Person in State Custody and seeks to have this Court Grant the Writ of Habeas Corpus by a Person in state Custody based on the following factors:

1. Defendants All Worked together to Wrongfully Convict this Plaintiff for the Charged Offenses of Criminal Sexual Conduct, and to Hide Other crimes that were committed by the Co-Defendants in this case.

The Attached Documents and Affidavits verify this Plaintiffs claims that are articulated herein, in Summary--1. SEAN COMBS FRAMED THIS PLAINTIFF, SEAN COMBS USED A CROOKED ASSISTANT WAYNE COUNTY PROSECUTOR TO CONDUCT THIS ACT OF PLACING THE PLAINTIFF IN PRISON, SEAN COMBS WORKED WITH KYM L. WORTHY THE WAYNE COUNTY PROSECUTOR TO FRAME THIS PLAINTIFF and it in resulted in a Complete Violation of this Plaintiffs Due Process Rights and Wrongful Conviction.

Defendants Sean Combs Framed me and this is my petition seeking release from custody as that the defendants worked to frame me and have me placed in the custody of the Michigan Department of Corrections where various Prison Wardens carried out the Judgements of Sentences that were obtained through illegally obtained criminal prosecutions that were the results of Bribes being Paid to the 36th District Court Magistrate Judges and even worse done so by corrupt Police Officers and Assistant Prosecuting Attorneys.

2 Detroit Police Officer nicole Rabior has effectively admitted In a March 5. 2025 Affidavit of her many roles where she states that the entire time of her office, she has been working for Sean Combs and that she was paid to frame me and she has admitted her role in the form of FULL ADMISSION TO THESE ACTS TO FRAME THE PETITIONER as detailed within the affidavit attached.

Petitioner states that this court must consider these factors

3 Petitioner further states that the Affidavit of Recantation form Andrea Rommarito even further shows and proves that she worked directly for Sean Combs and it is something else that this court must consider because She even recants the charges, and has done so in this matter as every other matter available.

The Respondents all worked to Convict this Petitioner and They did so for the Sole Purpose of Keeping this Petitioner Quiet while Petitioner was framed for crimes that the Petitioner did not commit.

4. Petitioner Submits that the Affidavit of Suzette Samuels, Assistant Wayne County Prosecutor Supports this Petitioners Claims and it even further supports that this Petitioner has been wrongfully convicted and held in custody in violation of the State and Federal Constitutions requiring reversal by this Court.

5 I submit to this Court that the Detailed listed within verify and support that the Petitioner was framed by the Respondents and These Affidavits Require a Hearing and Require action on the merits of the claims held within.

RELIEF SOUGHT

Wherefore, Petitioner prays this Court will enter an order to GRANT THE WRIT OF HABEAS CORPUS IMMEDIATELY and ORDER THE RELEASE OF THIS PETITIONER IMMEDIATELY, and grant any further relief this Court deems necessary and appropriate.

Respectfully Yours,



Mr Derrick Lee Cardello Smith

#267009

IRC-1727 W Bluewater Highway
Ionia, MI 48846

AFFIDAVIT

State of Michigan)
)ss
 County of Wayne)

OFFER OF PROOF #1

My name is Nicole Rabior, I am the Officer who authored the Police Report in the City of Detroit on January 13, 2008 against Derrick Lee Cardello-Smith Current Prisoner with the Michigan Department of Corrections obtained through a Conviction that was a result of my Investigator's Report and I state the following information and facts herein are true, accurate and real and I have been deposed do swear and say:

1. The Police Report I submitted against Derrick Lee Cardello-Smith for Kidnapping and Sexual Assault of Tina Bommarito is False.

2. The Police Report I submitted against Derrick Lee Cardello-Smith for Kidnapping and Sexual Assault of Andrea Bommarito is False.

3. I was ordered to make the False Police Report against Mr. Cardello-Smith by the Persons of Sean John Combs (P. Diddy), Kym L. Worthy, Wayne County Prosecutor, Suzette Samuels, Assistant Wayne County Prosecutor, Jose Ortiz, Detective, Detroit Police Department.

4. I was also Paid a Total of \$132,000.00 Cash by Sean John Combs in to Issue the False Police Report of Kidnapping and Sexual Assault against the Person of Derrick Lee Cardello-Smith, #267009.

5. My Families Lives and my Life had been threatened by this Man and the only way to save them was to go through with the Police Report I filed in this case and even though I knew it was a betrayal of my badge and my oath as a police officer, I followed through with these actions as that I had no other choice.

6. My Commanding Officer on the Noth-Eastern District 5 had me go through with this action as I have done in many many other cases before and as I will also do and have to do continuously.

7. Derrick Cardello-Smith never Kidnapped anyone nor did he ever Sexually Assault anyone and he was the victim that evening.

8. The Arrest warrant was paid for by me and others directly to the Magistrate Judge of the 36th District Court in and he was paid a total of \$5,000.00 for signing the warrant as he has been in many many cases and as he works for Sean Combs, I was connected to him and forced to pay him and I paid him the money for these warrants that I knew were false and he knew were false and especially in Derrick's case, all charges were false.

9. I was present when Patricia Penman, Detective with Wayne County and Dearborn Police Department paid Mr. Vincent Smothers (Contract Killer and Hitman) Money to Kill Mr. Derrick Lee Cardello-Smith and when Mr. Vincent Smothers took the money to Kill David Cobbs Wife Rose Cobb the Day after Christmas, 2007.

10. I was present when Patricia Penman Paid Carli Carpenter, \$4,500.00 to Place False Rape Charges on Derrick Lee Cardello-Smith.

11. I lied under Oath to the Magistrate of the 36th District Court while present with Sgt. Ortiz to obtain the Arrest Warrent for Derrick Lee Cardello-Smith and I violated his Due Process Rights that he is afforded by the Constitution of the State of Michigan.

12. I also lied under Oath in the Wayne County Circuit Court in the Criminal Case of People v. Derrick Lee Cardello-Smith Case # 2008-008639-01-FC.

I make this affidavit freely, voluntarily and with full knowledge that I will have to testify to these facts and I will testify to them in a State or Federal Court, Civil or Criminal, Because my actions while working as a Police Officer have resulted in an innocent me being held illegally, and that man is Derrick Lee Cardello-Smith #267009.

/s/Attant- Nicole Rabior

Sworn to and subscribed before me, this the 5TH

of March 2025

Marcus Ashford
 Notary Public

Wayne

County, Michigan

Marcus Ashford
 Notary Public-State of Michigan
 County of Wayne
 My Commission Expires June 8, 2029.
 Acting in the County of Wayne

Derrick Lee Cardello-Smith
#267009
Ionia Bellamy Creek Correctional Facility
1727 W. Bluewater Highway
Ionia, MI 48846

March 13, 2025

Office of the Clerk
United States District Court
Western District of Michigan
231 W Lafayette Blvd
Detroit, MI 48226

Re: Derrick Lee Cardello-Smith v. Mr. McCauley, Warden, et al
new case Filing

Dear Clerk:

Enclosed for filing in the above cause, the following documents
that I am asking are placed on the court record for review by this court
and assignment by this Court.

Please assign a Judge and Case number to these matters.

Thank you for your time in this process



Derrick Lee Cardello-Smith

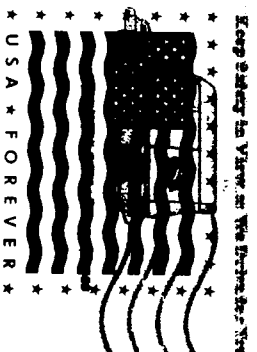
NAME: Mr. Derrick Lee Cardello-Smith
Number: #267009
Address: Ionla Bellamy Creek Correctional Facility
Address: 1727 W. Bluewater Highway
Ionla, MI 48846

mailed on 3-11-25

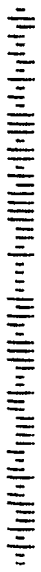
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